

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

FINJAN SOFTWARE, LTD., an Israel
corporation, .

Plaintiff,

v.

SECURE COMPUTING CORPORATION, a
Delaware corporation; CYBERGUARD
CORPORATION, a Delaware corporation,
WEBWASHER AG, a German corporation and
DOES 1 THROUGH 100,

Defendants.

Civil Action No. 06-00369 GMS

SECURE COMPUTING CORPORATION'S
PROPOSED SPECIAL JURY VERDICT FORM

ANSWER ALL OF THE FOLLOWING QUESTIONS:

INFRINGEMENT

**1. HAS FINJAN PROVEN BY A PREPONDERANCE OF THE EVIDENCE
THAT SECURE COMPUTING HAS DIRECTLY INFRINGED ANY CLAIM OF U.S.
PATENT NO. 6,092,194 ('194 PATENT)?**

*Answer the following question regarding infringement of the '194 patent with "Yes" or
"No." A "Yes" is a finding for Finjan. A "No" is a finding for Secure Computing.*

- | | | | |
|-----|---------|----------|---------|
| (A) | Claim 1 | Yes_____ | No_____ |
| (B) | Claim 2 | Yes_____ | No_____ |
| (C) | Claim 3 | Yes_____ | No_____ |
| (D) | Claim 4 | Yes_____ | No_____ |
| (E) | Claim 5 | Yes_____ | No_____ |
| (F) | Claim 6 | Yes_____ | No_____ |
| (G) | Claim 7 | Yes_____ | No_____ |
| (H) | Claim 8 | Yes_____ | No_____ |

(I) Claim 9 Yes_____ No_____

(J) Claim 10 Yes_____ No_____

(K) Claim 11 Yes_____ No_____

(L) Claim 12 Yes_____ No_____

(M) Claim 13 Yes_____ No_____

(N) Claim 14 Yes_____ No_____

(O) Claim 24 Yes_____ No_____

(P) Claim 25 Yes_____ No_____

(Q) Claim 26 Yes_____ No_____

(R) Claim 27 Yes_____ No_____

(S) Claim 28 Yes_____ No_____

(T) Claim 29 Yes_____ No_____

(U) Claim 30 Yes_____ No_____

(V) Claim 32 Yes_____ No_____

(W) Claim 33 Yes_____ No_____

(X) Claim 34 Yes_____ No_____

(Y) Claim 35 Yes_____ No_____

(Z) Claim 36 Yes_____ No_____

(AA) Claim 65 Yes_____ No_____

2. HAS FINJAN PROVEN BY A PREPONDERANCE OF THE EVIDENCE THAT SECURE COMPUTING HAS DIRECTLY INFRINGED ANY CLAIM OF U.S. PATENT NO. 6,804,780 ('780 PATENT)?

Answer the following question regarding infringement of the '780 patent with "Yes" or "No." A "Yes" is a finding for Finjan. A "No" is a finding for Secure Computing.

(A) Claim 1 Yes_____ No_____

(B) Claim 2 Yes_____ No_____

- (C) Claim 3 Yes_____ No_____
- (D) Claim 4 Yes_____ No_____
- (E) Claim 5 Yes_____ No_____
- (F) Claim 6 Yes_____ No_____
- (G) Claim 7 Yes_____ No_____
- (H) Claim 8 Yes_____ No_____
- (I) Claim 9 Yes_____ No_____
- (J) Claim 10 Yes_____ No_____
- (K) Claim 11 Yes_____ No_____
- (L) Claim 12 Yes_____ No_____
- (M) Claim 13 Yes_____ No_____
- (N) Claim 14 Yes_____ No_____
- (O) Claim 15 Yes_____ No_____
- (P) Claim 16 Yes_____ No_____
- (Q) Claim 17 Yes_____ No_____
- (R) Claim 18 Yes_____ No_____

3. HAS FINJAN PROVEN BY A PREPONDERANCE OF THE EVIDENCE THAT SECURE COMPUTING HAS DIRECTLY INFRINGED ANY CLAIM OF U.S. PATENT NO. 7,058,822 ('822 PATENT)?

Answer the following question regarding infringement of the '822 patent with "Yes" or "No." A "Yes" is a finding for Finjan. A "No" is a finding for Secure Computing.

- (A) Claim 1 Yes_____ No_____
- (B) Claim 2 Yes_____ No_____
- (C) Claim 4 Yes_____ No_____
- (D) Claim 6 Yes_____ No_____
- (E) Claim 8 Yes_____ No_____

(F)	Claim 9	Yes_____	No_____
(G)	Claim 12	Yes_____	No_____
(H)	Claim 13	Yes_____	No_____
(I)	Claim 15	Yes_____	No_____
(J)	Claim 16	Yes_____	No_____
(K)	Claim 17	Yes_____	No_____
(L)	Claim 18	Yes_____	No_____
(M)	Claim 20	Yes_____	No_____
(N)	Claim 21	Yes_____	No_____
(O)	Claim 22	Yes_____	No_____
(P)	Claim 24	Yes_____	No_____
(Q)	Claim 26	Yes_____	No_____
(R)	Claim 27	Yes_____	No_____
(S)	Claim 28	Yes_____	No_____
(T)	Claim 29	Yes_____	No_____
(U)	Claim 31	Yes_____	No_____
(V)	Claim 32	Yes_____	No_____
(W)	Claim 34	Yes_____	No_____
(X)	Claim 35	Yes_____	No_____

4. HAS SECURE COMPUTING PROVEN THAT FINJAN'S INFRINGEMENT CLAIMS ARE BARRED BY THE DOCTRINE OF PATENT EXHAUSTION?

Answer the following question regarding patent exhaustion with a "Yes" or "No." A "Yes" is a finding for Secure Computing. A "No" is a finding for Finjan.

Yes_____ No_____

5. HAS SECURE COMPUTING PROVEN THAT FINJAN'S INFRINGEMENT CLAIMS ARE BARRED BY LICENSE OR RELEASE?

Answer the following question regarding license or release with a "Yes" or "No." A "Yes" is a finding for Secure Computing. A "No" is a finding for Finjan.

Yes _____ No _____

6. HAS SECURE COMPUTING PROVEN BY A PREPONDERANCE OF THE EVIDENCE THAT FINJAN HAS DIRECTLY INFRINGED ANY CLAIM OF U.S. PATENT NO. 7,185,361 ('361 PATENT)?

Answer the following question regarding infringement of the '361 patent with "Yes" or "No." A "Yes" is a finding for Secure Computing. A "No" is a finding for Finjan.

- | | | | |
|-----|----------|-----------|----------|
| (A) | Claim 1 | Yes _____ | No _____ |
| (B) | Claim 2 | Yes _____ | No _____ |
| (C) | Claim 3 | Yes _____ | No _____ |
| (D) | Claim 4 | Yes _____ | No _____ |
| (E) | Claim 5 | Yes _____ | No _____ |
| (F) | Claim 7 | Yes _____ | No _____ |
| (G) | Claim 8 | Yes _____ | No _____ |
| (H) | Claim 9 | Yes _____ | No _____ |
| (I) | Claim 10 | Yes _____ | No _____ |
| (J) | Claim 11 | Yes _____ | No _____ |
| (K) | Claim 12 | Yes _____ | No _____ |
| (L) | Claim 14 | Yes _____ | No _____ |
| (M) | Claim 15 | Yes _____ | No _____ |

7. HAS SECURE COMPUTING PROVEN BY A PREPONDERANCE OF THE EVIDENCE THAT FINJAN HAS DIRECTLY INFRINGED ANY CLAIM OF U.S. PATENT NO. 6,357,010 ('010 PATENT)?

Answer the following question regarding infringement of the '010 patent with "Yes" or "No." A "Yes" is a finding for Secure Computing. A "No" is a finding for Finjan.

- | | | | |
|-----|----------|-----------|----------|
| (A) | Claim 37 | Yes _____ | No _____ |
|-----|----------|-----------|----------|

8. HAS SECURE COMPUTING PROVEN BY A PREPONDERANCE OF THE EVIDENCE THAT FINJAN HAS CONTRIBUTORILY INFRINGED OR INDUCED INFRINGEMENT OF ANY CLAIM OF U.S. PATENT NO. 7,185,361 ('361 PATENT)?

Answer the following question regarding infringement of the '361 patent with "Yes" or "No." A "Yes" is a finding for Secure Computing. A "No" is a finding for Finjan.

- | | | | |
|-----|----------|----------|---------|
| (A) | Claim 1 | Yes_____ | No_____ |
| (B) | Claim 2 | Yes_____ | No_____ |
| (C) | Claim 3 | Yes_____ | No_____ |
| (D) | Claim 4 | Yes_____ | No_____ |
| (E) | Claim 5 | Yes_____ | No_____ |
| (F) | Claim 7 | Yes_____ | No_____ |
| (G) | Claim 8 | Yes_____ | No_____ |
| (H) | Claim 9 | Yes_____ | No_____ |
| (I) | Claim 10 | Yes_____ | No_____ |
| (J) | Claim 11 | Yes_____ | No_____ |
| (K) | Claim 12 | Yes_____ | No_____ |
| (L) | Claim 14 | Yes_____ | No_____ |
| (M) | Claim 15 | Yes_____ | No_____ |

9. HAS SECURE COMPUTING PROVEN BY A PREPONDERANCE OF THE EVIDENCE THAT FINJAN HAS CONTRIBUTORILY INFRINGED OR INDUCED INFRINGEMENT OF ANY CLAIM OF U.S. PATENT NO. 6,357,010 ('010 PATENT)?

Answer the following question regarding infringement of the '010 patent with "Yes" or "No." A "Yes" is a finding for Secure Computing. A "No" is a finding for Finjan.

- | | | | |
|-----|----------|----------|---------|
| (A) | Claim 37 | Yes_____ | No_____ |
|-----|----------|----------|---------|

10. IF YOU FOUND THAT SECURE COMPUTING INFRINGED ANY CLAIM OF ANY OF THE PATENTS-IN-SUIT, HAS FINJAN PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT SECURE COMPUTING'S INFRINGEMENT WAS WILLFUL?

Answer the following question regarding willful infringement with a "Yes" or "No." A "Yes" is a finding for Finjan. A "No" is a finding for Secure Computing.

Yes_____ No_____

11. IF YOU FOUND THAT FINJAN INFRINGED ANY CLAIM OF ANY OF THE PATENTS-IN-SUIT, HAS SECURE COMPUTING PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT FINJAN'S INFRINGEMENT WAS WILLFUL?

Answer the following question regarding willful infringement with a "Yes" or "No." A "Yes" is a finding for Secure Computing. A "No" is a finding for Finjan.

Yes_____ No_____

INVALIDITY

12. HAS SECURE COMPUTING PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT THE FOLLOWING CLAIMS OF U.S. PATENT NO. 6,092,194 ('194 PATENT) ARE INVALID ON THE GROUND OF ANTICIPATION?

Answer the following question regarding validity of the '194 Patent with a "Yes" or "No." A "Yes" is a finding for Secure Computing. A "No" is a finding for Finjan.

- | | | | |
|-----|----------|----------|---------|
| (A) | Claim 1 | Yes_____ | No_____ |
| (B) | Claim 2 | Yes_____ | No_____ |
| (C) | Claim 3 | Yes_____ | No_____ |
| (D) | Claim 4 | Yes_____ | No_____ |
| (E) | Claim 5 | Yes_____ | No_____ |
| (F) | Claim 6 | Yes_____ | No_____ |
| (G) | Claim 7 | Yes_____ | No_____ |
| (H) | Claim 8 | Yes_____ | No_____ |
| (I) | Claim 9 | Yes_____ | No_____ |
| (J) | Claim 10 | Yes_____ | No_____ |

(K) Claim 11 Yes_____ No_____

(L) Claim 12 Yes_____ No_____

(M) Claim 13 Yes_____ No_____

(N) Claim 14 Yes_____ No_____

(O) Claim 24 Yes_____ No_____

(P) Claim 25 Yes_____ No_____

(Q) Claim 26 Yes_____ No_____

(R) Claim 27 Yes_____ No_____

(S) Claim 28 Yes_____ No_____

(T) Claim 29 Yes_____ No_____

(U) Claim 30 Yes_____ No_____

(V) Claim 32 Yes_____ No_____

(W) Claim 33 Yes_____ No_____

(X) Claim 34 Yes_____ No_____

(Y) Claim 35 Yes_____ No_____

(Z) Claim 36 Yes_____ No_____

(AA) Claim 65 Yes_____ No_____

If you found any claim of the '194 patent invalid by reason of anticipation, state separately for each claim the specific art you find anticipates_____

13. HAS SECURE COMPUTING PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT THE FOLLOWING CLAIMS OF U.S. PATENT NO. 6,804,780 ('780 PATENT) ARE INVALID ON THE GROUND OF ANTICIPATION?

Answer the following question regarding validity of the '780 Patent with a "Yes" or "No." A "Yes" is a finding for Secure Computing. A "No" is a finding for Finjan.

(A) Claim 1 Yes_____ No_____

- (B) Claim 2 Yes_____ No_____
- (C) Claim 3 Yes_____ No_____
- (D) Claim 4 Yes_____ No_____
- (E) Claim 5 Yes_____ No_____
- (F) Claim 6 Yes_____ No_____
- (G) Claim 7 Yes_____ No_____
- (H) Claim 8 Yes_____ No_____
- (I) Claim 9 Yes_____ No_____
- (J) Claim 10 Yes_____ No_____
- (K) Claim 11 Yes_____ No_____
- (L) Claim 12 Yes_____ No_____
- (M) Claim 13 Yes_____ No_____
- (N) Claim 14 Yes_____ No_____
- (O) Claim 15 Yes_____ No_____
- (P) Claim 16 Yes_____ No_____
- (Q) Claim 17 Yes_____ No_____
- (R) Claim 18 Yes_____ No_____

If you found any claim of the '780 patent invalid by reason of anticipation, state separately for each claim the specific art you find anticipates_____

14. HAS SECURE COMPUTING PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT THE FOLLOWING CLAIMS OF U.S. PATENT NO. 7,058,822 ('822 PATENT) ARE INVALID ON THE GROUND OF ANTICIPATION?

Answer the following question regarding validity of the '822 Patent with a "Yes" or "No." A "Yes" is a finding for Secure Computing. A "No" is a finding for Finjan.

- (A) Claim 1 Yes_____ No_____

(B)	Claim 2	Yes_____	No_____
(C)	Claim 4	Yes_____	No_____
(D)	Claim 6	Yes_____	No_____
(E)	Claim 8	Yes_____	No_____
(F)	Claim 9	Yes_____	No_____
(G)	Claim 12	Yes_____	No_____
(H)	Claim 13	Yes_____	No_____
(I)	Claim 15	Yes_____	No_____
(J)	Claim 16	Yes_____	No_____
(K)	Claim 17	Yes_____	No_____
(L)	Claim 18	Yes_____	No_____
(M)	Claim 20	Yes_____	No_____
(N)	Claim 21	Yes_____	No_____
(O)	Claim 22	Yes_____	No_____
(P)	Claim 24	Yes_____	No_____
(Q)	Claim 26	Yes_____	No_____
(R)	Claim 27	Yes_____	No_____
(S)	Claim 28	Yes_____	No_____
(T)	Claim 29	Yes_____	No_____
(U)	Claim 31	Yes_____	No_____
(V)	Claim 32	Yes_____	No_____
(W)	Claim 34	Yes_____	No_____
(X)	Claim 35	Yes_____	No_____

If you found any claim of the '822 patent invalid by reason of anticipation, state separately for each claim the specific art you find anticipates _____

15. HAS FINJAN PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT THE FOLLOWING CLAIMS OF U.S. PATENT NO. 7,185,361 ('361 PATENT) ARE INVALID ON THE GROUND OF ANTICIPATION?

Answer the following question regarding validity of the '361 Patent with a "Yes" or "No." A "Yes" is a finding for Finjan. A "No" is a finding for Secure Computing.

- | | | | |
|-----|----------|-----------|----------|
| (A) | Claim 1 | Yes _____ | No _____ |
| (B) | Claim 2 | Yes _____ | No _____ |
| (C) | Claim 3 | Yes _____ | No _____ |
| (D) | Claim 4 | Yes _____ | No _____ |
| (E) | Claim 5 | Yes _____ | No _____ |
| (F) | Claim 7 | Yes _____ | No _____ |
| (G) | Claim 8 | Yes _____ | No _____ |
| (H) | Claim 9 | Yes _____ | No _____ |
| (I) | Claim 10 | Yes _____ | No _____ |
| (J) | Claim 11 | Yes _____ | No _____ |
| (K) | Claim 12 | Yes _____ | No _____ |
| (L) | Claim 14 | Yes _____ | No _____ |
| (M) | Claim 15 | Yes _____ | No _____ |

16. HAS FINJAN PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT THE FOLLOWING CLAIMS OF U.S. PATENT NO. 6,357,010 ('010 PATENT) ARE INVALID ON THE GROUND OF ANTICIPATION?

Answer the following question regarding validity of the '010 Patent with a "Yes" or "No." A "Yes" is a finding for Finjan. A "No" is a finding for Secure Computing.

- | | | | |
|-----|----------|-----------|----------|
| (A) | Claim 37 | Yes _____ | No _____ |
|-----|----------|-----------|----------|

17. HAS SECURE COMPUTING PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT THE FOLLOWING CLAIMS OF U.S. PATENT NO. 6,092,194 ('194 PATENT) ARE INVALID ON THE GROUND OF OBVIOUSNESS?

Answer the following question regarding validity of the '194 patent with a "Yes" or "No." A "Yes" is a finding for Secure Computing. A "No" is a finding for Finjan.

- | | | | |
|-----|----------|----------|---------|
| (A) | Claim 1 | Yes_____ | No_____ |
| (B) | Claim 2 | Yes_____ | No_____ |
| (C) | Claim 3 | Yes_____ | No_____ |
| (D) | Claim 4 | Yes_____ | No_____ |
| (E) | Claim 5 | Yes_____ | No_____ |
| (F) | Claim 6 | Yes_____ | No_____ |
| (G) | Claim 7 | Yes_____ | No_____ |
| (H) | Claim 8 | Yes_____ | No_____ |
| (I) | Claim 9 | Yes_____ | No_____ |
| (J) | Claim 10 | Yes_____ | No_____ |
| (K) | Claim 11 | Yes_____ | No_____ |
| (L) | Claim 12 | Yes_____ | No_____ |
| (M) | Claim 13 | Yes_____ | No_____ |
| (N) | Claim 14 | Yes_____ | No_____ |
| (O) | Claim 24 | Yes_____ | No_____ |
| (P) | Claim 25 | Yes_____ | No_____ |
| (Q) | Claim 26 | Yes_____ | No_____ |
| (R) | Claim 27 | Yes_____ | No_____ |
| (S) | Claim 28 | Yes_____ | No_____ |
| (T) | Claim 29 | Yes_____ | No_____ |
| (U) | Claim 30 | Yes_____ | No_____ |

- (V) Claim 32 Yes_____ No_____
- (W) Claim 33 Yes_____ No_____
- (X) Claim 34 Yes_____ No_____
- (Y) Claim 35 Yes_____ No_____
- (Z) Claim 36 Yes_____ No_____
- (AA) Claim 65 Yes_____ No_____

If you found any claim of the '194 patent invalid by reason of obviousness, state separately for each claim the specific art you find invalidates_____

18. HAS SECURE COMPUTING PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT THE FOLLOWING CLAIMS OF U.S. PATENT NO. 6,804,780 ('780 PATENT) ARE INVALID ON THE GROUND OF OBVIOUSNESS?

Answer the following question regarding validity of the '780 patent with a "Yes" or "No." A "Yes" is a finding for Secure Computing. A "No" is a finding for Finjan.

- (A) Claim 1 Yes_____ No_____
- (B) Claim 2 Yes_____ No_____
- (C) Claim 3 Yes_____ No_____
- (D) Claim 4 Yes_____ No_____
- (E) Claim 5 Yes_____ No_____
- (F) Claim 6 Yes_____ No_____
- (G) Claim 7 Yes_____ No_____
- (H) Claim 8 Yes_____ No_____
- (I) Claim 9 Yes_____ No_____
- (J) Claim 10 Yes_____ No_____
- (K) Claim 11 Yes_____ No_____
- (L) Claim 12 Yes_____ No_____

- (M) Claim 13 Yes_____ No_____
- (N) Claim 14 Yes_____ No_____
- (O) Claim 15 Yes_____ No_____
- (P) Claim 16 Yes_____ No_____
- (Q) Claim 17 Yes_____ No_____
- (R) Claim 18 Yes_____ No_____

If you found any claim of the '780 patent invalid by reason of obviousness, state separately for each claim the specific art you find invalidates_____

19. HAS SECURE COMPUTING PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT THE FOLLOWING CLAIMS OF U.S. PATENT NO. 7,058,822 ('822 PATENT) ARE INVALID ON THE GROUND OF OBVIOUSNESS?

Answer the following question regarding validity of the '822 patent with a "Yes" or "No." A "Yes" is a finding for Secure Computing. A "No" is a finding for Finjan.

- (A) Claim 1 Yes_____ No_____
- (B) Claim 2 Yes_____ No_____
- (C) Claim 4 Yes_____ No_____
- (D) Claim 6 Yes_____ No_____
- (E) Claim 8 Yes_____ No_____
- (F) Claim 9 Yes_____ No_____
- (G) Claim 12 Yes_____ No_____
- (H) Claim 13 Yes_____ No_____
- (I) Claim 15 Yes_____ No_____
- (J) Claim 16 Yes_____ No_____
- (K) Claim 17 Yes_____ No_____
- (L) Claim 18 Yes_____ No_____

- (M) Claim 20 Yes_____ No_____
- (N) Claim 21 Yes_____ No_____
- (O) Claim 22 Yes_____ No_____
- (P) Claim 24 Yes_____ No_____
- (Q) Claim 26 Yes_____ No_____
- (R) Claim 27 Yes_____ No_____
- (S) Claim 28 Yes_____ No_____
- (T) Claim 29 Yes_____ No_____
- (U) Claim 31 Yes_____ No_____
- (V) Claim 32 Yes_____ No_____
- (W) Claim 34 Yes_____ No_____
- (X) Claim 35 Yes_____ No_____

If you found any claim of the '822 patent invalid by reason of obviousness, state separately for each claim the specific art you find invalidates_____

20. HAS FINJAN PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT THE FOLLOWING CLAIMS OF U.S. PATENT NO. 7,185,361 ('361 PATENT) ARE INVALID ON THE GROUND OF OBVIOUSNESS?

Answer the following question regarding validity of the '361 patent with a "Yes" or "No." A "Yes" is a finding for Finjan. A "No" is a finding for Secure Computing.

- (A) Claim 1 Yes_____ No_____
- (B) Claim 2 Yes_____ No_____
- (C) Claim 3 Yes_____ No_____
- (D) Claim 4 Yes_____ No_____
- (E) Claim 5 Yes_____ No_____
- (F) Claim 7 Yes_____ No_____

- (G) Claim 8 Yes_____ No_____
- (H) Claim 9 Yes_____ No_____
- (I) Claim 10 Yes_____ No_____
- (J) Claim 11 Yes_____ No_____
- (K) Claim 12 Yes_____ No_____
- (L) Claim 14 Yes_____ No_____
- (M) Claim 15 Yes_____ No_____

If you found any claim of the '361 patent invalid by reason of obviousness, state separately for each claim the specific art you find invalidates_____

21. HAS FINJAN PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT THE FOLLOWING CLAIMS OF U.S. PATENT NO. 6,357,010 ('010 PATENT) ARE INVALID ON THE GROUND OF OBVIOUSNESS?

Answer the following question regarding validity of the '010 patent with a "Yes" or "No." A "Yes" is a finding for Finjan. A "No" is a finding for Secure Computing.

- (A) Claim 37 Yes_____ No_____

If you found any claim of the '010 patent invalid by reason of obviousness, state separately for each claim the specific art you find invalidates_____

22. HAS SECURE COMPUTING PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT THE FOLLOWING CLAIMS OF U.S. PATENT NO. 6,092,194 ('194 PATENT) ARE INVALID FOR LACK OF ENABLEMENT?

Answer the following question regarding validity of the '194 patent with a "Yes" or "No." A "Yes" is a finding for Secure Computing. A "No" is a finding for Finjan.

- (A) Claim 1 Yes_____ No_____
- (B) Claim 2 Yes_____ No_____

(C)	Claim 3	Yes_____	No_____
(D)	Claim 4	Yes_____	No_____
(E)	Claim 5	Yes_____	No_____
(F)	Claim 6	Yes_____	No_____
(G)	Claim 7	Yes_____	No_____
(H)	Claim 8	Yes_____	No_____
(I)	Claim 9	Yes_____	No_____
(J)	Claim 10	Yes_____	No_____
(K)	Claim 11	Yes_____	No_____
(L)	Claim 12	Yes_____	No_____
(M)	Claim 13	Yes_____	No_____
(N)	Claim 14	Yes_____	No_____
(O)	Claim 24	Yes_____	No_____
(P)	Claim 25	Yes_____	No_____
(Q)	Claim 26	Yes_____	No_____
(R)	Claim 27	Yes_____	No_____
(S)	Claim 28	Yes_____	No_____
(T)	Claim 29	Yes_____	No_____
(U)	Claim 30	Yes_____	No_____
(V)	Claim 32	Yes_____	No_____
(W)	Claim 33	Yes_____	No_____
(X)	Claim 34	Yes_____	No_____
(Y)	Claim 35	Yes_____	No_____
(Z)	Claim 36	Yes_____	No_____
(AA)	Claim 65	Yes_____	No_____

23. HAS SECURE COMPUTING PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT THE FOLLOWING CLAIMS OF U.S. PATENT NO. 6,804,780 ('780 PATENT) ARE INVALID FOR LACK OF ENABLEMENT?

Answer the following question regarding validity of the '780 patent with a "Yes" or "No." A "Yes" is a finding for Secure Computing. A "No" is a finding for Finjan.

- | | | | |
|-----|----------|----------|---------|
| (A) | Claim 1 | Yes_____ | No_____ |
| (B) | Claim 2 | Yes_____ | No_____ |
| (C) | Claim 3 | Yes_____ | No_____ |
| (D) | Claim 4 | Yes_____ | No_____ |
| (E) | Claim 5 | Yes_____ | No_____ |
| (F) | Claim 6 | Yes_____ | No_____ |
| (G) | Claim 7 | Yes_____ | No_____ |
| (H) | Claim 8 | Yes_____ | No_____ |
| (I) | Claim 9 | Yes_____ | No_____ |
| (J) | Claim 10 | Yes_____ | No_____ |
| (K) | Claim 11 | Yes_____ | No_____ |
| (L) | Claim 12 | Yes_____ | No_____ |
| (M) | Claim 13 | Yes_____ | No_____ |
| (N) | Claim 14 | Yes_____ | No_____ |
| (O) | Claim 15 | Yes_____ | No_____ |
| (P) | Claim 16 | Yes_____ | No_____ |
| (Q) | Claim 17 | Yes_____ | No_____ |
| (R) | Claim 18 | Yes_____ | No_____ |

24. HAS SECURE COMPUTING PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT THE FOLLOWING CLAIMS OF U.S. PATENT NO. 67,058,822 ('822 PATENT) ARE INVALID FOR LACK OF ENABLEMENT?

Answer the following question regarding validity of the '822 patent with a "Yes" or "No." A "Yes" is a finding for Secure Computing. A "No" is a finding for Finjan.

- | | | | |
|-----|----------|----------|---------|
| (A) | Claim 1 | Yes_____ | No_____ |
| (B) | Claim 2 | Yes_____ | No_____ |
| (C) | Claim 4 | Yes_____ | No_____ |
| (D) | Claim 6 | Yes_____ | No_____ |
| (E) | Claim 8 | Yes_____ | No_____ |
| (F) | Claim 9 | Yes_____ | No_____ |
| (G) | Claim 12 | Yes_____ | No_____ |
| (H) | Claim 13 | Yes_____ | No_____ |
| (I) | Claim 15 | Yes_____ | No_____ |
| (J) | Claim 16 | Yes_____ | No_____ |
| (K) | Claim 17 | Yes_____ | No_____ |
| (L) | Claim 18 | Yes_____ | No_____ |
| (M) | Claim 20 | Yes_____ | No_____ |
| (N) | Claim 21 | Yes_____ | No_____ |
| (O) | Claim 22 | Yes_____ | No_____ |
| (P) | Claim 24 | Yes_____ | No_____ |
| (Q) | Claim 26 | Yes_____ | No_____ |
| (R) | Claim 27 | Yes_____ | No_____ |
| (S) | Claim 28 | Yes_____ | No_____ |
| (T) | Claim 29 | Yes_____ | No_____ |
| (U) | Claim 31 | Yes_____ | No_____ |

(V) Claim 32 Yes_____ No_____

(W) Claim 34 Yes_____ No_____

(X) Claim 35 Yes_____ No_____

25. HAS SECURE COMPUTING PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT THE FOLLOWING CLAIMS OF U.S. PATENT NO. 6,092,194 ('194 PATENT) ARE INVALID FOR INDEFINITENESS?

Answer the following question regarding validity of the '194 patent with a "Yes" or "No." A "Yes" is a finding for Secure Computing. A "No" is a finding for Finjan.

(A) Claim 8 Yes_____ No_____

(B) Claim 9 Yes_____ No_____

(C) Claim 10 Yes_____ No_____

(D) Claim 11 Yes_____ No_____

26. HAS SECURE COMPUTING PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT THE FOLLOWING CLAIMS OF U.S. PATENT NO. 67,058,822 ('822 PATENT) ARE INVALID FOR INDEFINITENESS?

Answer the following question regarding validity of the '822 patent with a "Yes" or "No." A "Yes" is a finding for Secure Computing. A "No" is a finding for Finjan.

(A) Claim 9 Yes_____ No_____

(B) Claim 12 Yes_____ No_____

(C) Claim 13 Yes_____ No_____

(D) Claim 28 Yes_____ No_____

27. HAS SECURE COMPUTING PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT THE FOLLOWING CLAIMS OF U.S. PATENT NO. 6,092,194 ('194 PATENT) ARE INVALID FOR INADEQUATE WRITTEN DESCRIPTION?

Answer the following question regarding validity of the '194 patent with a "Yes" or "No." A "Yes" is a finding for Secure Computing. A "No" is a finding for Finjan.

(A) Claim 1 Yes_____ No_____

(B) Claim 2 Yes_____ No_____

(C) Claim 3 Yes_____ No_____

(D)	Claim 4	Yes_____	No_____
(E)	Claim 5	Yes_____	No_____
(F)	Claim 6	Yes_____	No_____
(G)	Claim 7	Yes_____	No_____
(H)	Claim 8	Yes_____	No_____
(I)	Claim 9	Yes_____	No_____
(J)	Claim 10	Yes_____	No_____
(K)	Claim 11	Yes_____	No_____
(L)	Claim 12	Yes_____	No_____
(M)	Claim 13	Yes_____	No_____
(N)	Claim 14	Yes_____	No_____
(O)	Claim 24	Yes_____	No_____
(P)	Claim 25	Yes_____	No_____
(Q)	Claim 26	Yes_____	No_____
(R)	Claim 27	Yes_____	No_____
(S)	Claim 28	Yes_____	No_____
(T)	Claim 29	Yes_____	No_____
(U)	Claim 30	Yes_____	No_____
(V)	Claim 32	Yes_____	No_____
(W)	Claim 33	Yes_____	No_____
(X)	Claim 34	Yes_____	No_____
(Y)	Claim 35	Yes_____	No_____
(Z)	Claim 36	Yes_____	No_____
(AA)	Claim 65	Yes_____	No_____

28. HAS SECURE COMPUTING PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT THE FOLLOWING CLAIMS OF U.S. PATENT NO. 6,804,780 ('780 PATENT) ARE INVALID FOR INADEQUATE WRITTEN DESCRIPTION?

Answer the following question regarding validity of the '780 patent with a "Yes" or "No." A "Yes" is a finding for Secure Computing. A "No" is a finding for Finjan

- | | | | |
|-----|----------|----------|---------|
| (A) | Claim 1 | Yes_____ | No_____ |
| (B) | Claim 2 | Yes_____ | No_____ |
| (C) | Claim 3 | Yes_____ | No_____ |
| (D) | Claim 4 | Yes_____ | No_____ |
| (E) | Claim 5 | Yes_____ | No_____ |
| (F) | Claim 6 | Yes_____ | No_____ |
| (G) | Claim 7 | Yes_____ | No_____ |
| (H) | Claim 8 | Yes_____ | No_____ |
| (I) | Claim 9 | Yes_____ | No_____ |
| (J) | Claim 10 | Yes_____ | No_____ |
| (K) | Claim 11 | Yes_____ | No_____ |
| (L) | Claim 12 | Yes_____ | No_____ |
| (M) | Claim 13 | Yes_____ | No_____ |
| (N) | Claim 14 | Yes_____ | No_____ |
| (O) | Claim 15 | Yes_____ | No_____ |
| (P) | Claim 16 | Yes_____ | No_____ |
| (Q) | Claim 17 | Yes_____ | No_____ |
| (R) | Claim 18 | Yes_____ | No_____ |

29. HAS SECURE COMPUTING PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT THE FOLLOWING CLAIMS OF U.S. PATENT NO. 67,058,822 ('822 PATENT) ARE INVALID FOR INADEQUATE WRITTEN DESCRIPTION?

Answer the following question regarding validity of the '822 patent with a "Yes" or "No." A "Yes" is a finding for Secure Computing. A "No" is a finding for Finjan.

- | | | | |
|-----|----------|----------|---------|
| (A) | Claim 1 | Yes_____ | No_____ |
| (B) | Claim 2 | Yes_____ | No_____ |
| (C) | Claim 4 | Yes_____ | No_____ |
| (D) | Claim 6 | Yes_____ | No_____ |
| (E) | Claim 8 | Yes_____ | No_____ |
| (F) | Claim 9 | Yes_____ | No_____ |
| (G) | Claim 12 | Yes_____ | No_____ |
| (H) | Claim 13 | Yes_____ | No_____ |
| (I) | Claim 15 | Yes_____ | No_____ |
| (J) | Claim 16 | Yes_____ | No_____ |
| (K) | Claim 17 | Yes_____ | No_____ |
| (L) | Claim 18 | Yes_____ | No_____ |
| (M) | Claim 20 | Yes_____ | No_____ |
| (N) | Claim 21 | Yes_____ | No_____ |
| (O) | Claim 22 | Yes_____ | No_____ |
| (P) | Claim 24 | Yes_____ | No_____ |
| (Q) | Claim 26 | Yes_____ | No_____ |
| (R) | Claim 27 | Yes_____ | No_____ |
| (S) | Claim 28 | Yes_____ | No_____ |
| (T) | Claim 29 | Yes_____ | No_____ |
| (U) | Claim 31 | Yes_____ | No_____ |

(V) Claim 32 Yes_____ No_____

(W) Claim 34 Yes_____ No_____

(X) Claim 35 Yes_____ No_____

30. HAS SECURE COMPUTING PROVEN BY CLEAR AND CONVINCING EVIDENCE THAT U.S. PATENT NO. 6,092,194 ('194 PATENT) IS UNENFORCEABLE DUE TO INEQUITABLE CONDUCT BY FINJAN?

Answer the following question regarding unenforceability with a "Yes" or "No." A "Yes" is a finding for Secure Computing. A "No" is a finding for Finjan.

Yes_____ No_____

DAMAGES

31. IF YOU FIND ANY OF THE CLAIMS OF ANY OF THE FINJAN PATENTS IN SUIT ARE INFRINGED, VALID, AND ENFORCEABLE, WHAT IS THE REASONABLE ROYALTY RATE TO WHICH FINJAN IS ENTITLED?

_____ %

32. IF YOU FIND ANY OF THE CLAIMS OF ANY OF THE SECURE COMPUTING PATENTS IN SUIT ARE INFRINGED AND VALID, WHAT IS THE REASONABLE ROYALTY RATE TO WHICH SECURE COMPUTING IS ENTITLED?

_____ %

33. IF YOU FIND ANY OF THE CLAIMS OF ANY OF THE FINJAN PATENTS IN SUIT ARE INFRINGED, VALID, AND ENFORCEABLE, WHAT IS THE AMOUNT OF REVENUE RECEIVED BY SECURE COMPUTING TO WHICH THE ROYALTY RATE SHOULD BE APPLIED?

\$ _____

34. IF YOU FIND ANY OF THE CLAIMS OF ANY OF THE SECURE COMPUTING PATENTS IN SUIT ARE INFRINGED AND VALID, WHAT IS THE AMOUNT OF REVENUE RECEIVED BY FINJAN TO WHICH THE ROYALTY RATE SHOULD BE APPLIED?

\$ _____

Dated: _____

Jury Foreperson

840936

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CERTIFICATE OF SERVICE

I, Philip A. Rovner, hereby certify that on January 7, 2008, the within document was filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following; that the document was served on the following counsel as indicated; and that the document is available for viewing and downloading from CM/ECF.

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